

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

IN RE:	)	
	)	
<b>Kevin J. McClave</b>	)	<b>Chapter 13</b>
	)	
<b>&amp;</b>	)	<b>Case No.: 14-32042</b>
	)	
<b>Lauren McClave</b>	)	
	)	
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**MOTION FOR A  
PLAN PAYMENT MORATORIUM**

NOW COMES Debtors, **Kevin J. McClave, and Lauren McClave**, hereinafter (Debtors), by and through their attorney of record, Sean T. Dillenbeck and moves this Court for an Order granting a Plan Payment Moratorium in their Chapter 13 plan. In support hereof Debtor shows unto the Court the following:

1. Debtors filed a petition voluntarily on December 5, 2014, and their plan was thereafter confirmed on February 24, 2015;
2. Debtors' plan payment is \$1,836.00 monthly.
3. Debtors are unable to make their Chapter 13 plan payments for June, July, and August 2015 due to the fact of female debtor's recent loss of employment.
4. Female debtor is currently searching for new employment.
5. Attorney for the Debtor, has performed legal services for the Debtor with respect to the preparation and prosecution of this Motion. Such attorney is therefore entitled to the award of a non-base fee of \$350.00 plus reimbursement of copy and postage costs in the sum of \$11.52, a total of \$361.52.

WHEREFORE, Debtor prays to the Court as follows:

1. That, after notice and hearing, a Motion for Moratorium on Debtors' Plan Payments be granted for June, July, and August and resume their normal Plan Payments starting in September 2015.

2. That the Attorney for the Debtor be awarded a non-base fee of \$350.00 plus reimbursement of copy and postage fees of \$11.52, a total of \$361.52 to be paid via the plan.

3. And for such and further relief as to the court seem just and proper.

This the 12<sup>th</sup> day of May 2015.

/s/ Sean Dillenbeck  
Sean Dillenbeck  
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**Kevin J. McClave**

&

**Lauren McClave**

## Chapter 13

**Case No.:** 14-32042

## CERTIFICATE OF SERVICE

I hereby certify that on this date, a copy of the ***Motion for a Plan Payment Moratorium and Notice of Hearing*** was served on the parties listed below via Electronic Case Filing or by United States Postal Service as indicated:

Linda Simpson  
U.S. Bankruptcy Administrator

Via Electronic Case Filing

Warren Tadlock  
Chapter 13 Trustee

Via Electronic Case Filing

### All parties on the Mailing Matrix

Via USPS

This the 12<sup>th</sup> day of May, 2015.

/s/ Sean Dillenbeck  
Sean Dillenbeck  
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